

IN RE: PETITION FOR ZONING VARIANCE  
5675 Cunningham Cove Road,  
15th Election District  
Daniel J. Lockman, et ux  
Petitioners

BEFORE THE  
DEPUTY ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 90-115-A

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Petitioners herein request a variance to permit a building separation of 18 feet in lieu of the required 25 feet and to amend the Fifth Amended Final Development Plan of Cunningham Hill Cove (Sheet 4 of 6) in accordance with Petitioner's Exhibit 1.

The Petitioners, by Daniel Lockman, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 12809 Cunningham Hill Cove Road, is zoned D.R. 5.5 and is improved with a single family dwelling which has been Petitioners' residence for the past 3 years. Petitioners are desirous of adding a one car garage on the southeast side of the existing dwelling; however, due to the layout of the dwelling and its location on the lot, the requested variances are necessary in order to construct the garage in the location set forth in Petitioner's Exhibit 1. Testimony indicated the Petitioners have discussed their plans with the adjoining affected property owners, Mr. & Mrs. Kenneth Jent, who have no objections to their plans. Petitioners also introduced a letter from the Bay Country Architectural Standards Committee dated August 11, 1989 evidencing their support of Petitioners' variance.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Com-

ORDER RECEIVED FOR FILING  
DATE 9/12/89  
BY [Signature]

**BAY COUNTRY ARCHITECTURAL STANDARDS COMMITTEE**  
6615 REISTERSTOWN ROAD, SUITE 205  
BALTIMORE, MARYLAND 21215

August 11, 1989

Mr. and Mrs. Dan Lockman  
12809 Cunningham Cove Road  
Baltimore, Maryland 21220

RE: Request for Garage Approval

Dear Mr. and Mrs. Lockman:

This will acknowledge receipt of your request and sketch describing the garage you propose to erect on your property. This letter will constitute our approval for the garage as proposed.

Permission to erect this type of garage does not relieve you of the responsibility of complying with all Baltimore County building and zoning regulations, including permit where required. Furthermore, it is also your responsibility to make certain that the drainage of your property and that of your neighbors is not adversely affected.

We thank you for your cooperation in this matter and your recognition of the value of the restrictions that have been established for Bay Country.

Very truly yours,  
Lawrence M. Mack  
Architectural Standards Committee

cc: Sales Office  
Property File

*Petitioners Exhibit 2*

WHEREAS the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11th day of September, 1989 that the Petition for Zoning Variance to permit a building separation of 18 feet in lieu of the required 25 feet and to amend the Fifth Amended Final Development Plan of Cunningham Hill Cove (Sheet 4 of 6) in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTASOWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
DATE 9/12/89  
BY [Signature]

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., Sept. 1, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on August 31, 1989.

THE JEFFERSONIAN,  
S. Zebe Olson  
Publisher

**NOTICE OF HEARING**  
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property W. Chesapeake Avenue in Towson, Maryland as follows:  
Petition for Zoning Variance  
CASE NUMBER: 90-115-A  
SE side Cunningham Hill Cove Road, 967' NE c/l Grades Quarters Road  
15th Election District - 5th Councilmanic  
Petitioner(s): Daniel J. Lockman, et ux  
HEARING SCHEDULED FRIDAY, SEPTEMBER 22, 1989 at 9:30 a.m.

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property W. Chesapeake Avenue in Towson, Maryland as follows:  
Petition for Zoning Variance  
CASE NUMBER: 90-115-A  
SE side Cunningham Hill Cove Road, 967' NE c/l Grades Quarters Road  
15th Election District - 5th Councilmanic  
Petitioner(s): Daniel J. Lockman, et ux  
HEARING SCHEDULED FRIDAY, SEPTEMBER 22, 1989 at 9:30 a.m.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines  
Zoning Commissioner  
BALTIMORE COUNTY, MARYLAND

cc: Daniel J. Lockman  
File

**PETITION FOR ZONING VARIANCE**  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:  
90-115-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1201.2.C.1. To allow a building separation of 18 ft. in lieu of the required 25 feet and to amend the Fifth Amended Sheet 4 of 6 Final Development Plan of Cunningham Hill Cove.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. There is no other area available to build a garage on the lot and stay consistent with the construction of other houses with garages in the development.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expense of above Variance advertising, posting, etc. upon filing of this petition and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
(Type or Print Name)  
Signature  
Address  
City and State

Legal Owner(s):  
(Type or Print Name)  
Signature  
Address  
City and State

Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City and State

Attorney's Telephone No.:  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Name  
Address  
City and State  
Phone No.

ORDERED By the Zoning Commissioner of Baltimore County, this 6th day of September, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of September, 1989 at 9:30 a.m.

J. Robert Haines  
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING  
DATE 9/12/89  
BY [Signature]

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 15th  
Posted for: 10 days  
Petitioner: Daniel J. Lockman, et ux  
Location of property: SE side Cunningham Hill Cove Rd., 967' NE c/l Grades Quarters Rd.  
Location of Sign: SE side Cunningham Hill Cove Rd., across from parking area  
Remarks: [Signature]  
Posted by: [Signature]  
Date of return: 9/22/89  
Number of Signs: 1

**Baltimore County**  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 857-5555

Mr. & Mrs. Daniel J. Lockman  
12809 Cunningham Cove Road  
Baltimore, Maryland 21220

Re: Petition for Zoning Variance  
CASE NUMBER: 90-115-A  
SE side Cunningham Hill Cove Road, 967' NE c/l Grades Quarters Road  
15th Election District - 5th Councilmanic  
Petitioner(s): Daniel J. Lockman, et ux  
HEARING SCHEDULED FRIDAY, SEPTEMBER 22, 1989 at 9:30 a.m.

Dear Petitioners:

Please be advised that \$110.60 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(s) RETURNED ON THE DAY OF THE HEARING OR THE QUOTE SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(s) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204 (15) minutes before your hearing is scheduled to begin.

At post set(s), there is a fee for each such set

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE-REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 9/12/89 ACCOUNT: 90-115-A-PPD  
AMOUNT: \$110.60  
RECEIVED FROM: Daniel J. Lockman  
FOR: Daniel J. Lockman (90-115-A)  
8 0111110600 02215  
VALIDATION OR SIGNATURE OF CASHIER  
J. ROBERT HAINES  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

**CERTIFICATE OF PUBLICATION**  
Office of  
**THE AVENUE NEWS**  
1532  
442 Legion Blvd.  
Baltimore, Md 21221

THIS IS TO CERTIFY that the annexed advertisement of Daniel J. Lockman in the matter of Petition for Zoning Variance, Case No. 90-115-A, was published in The Avenue News a weekly newspaper published in Baltimore County, Maryland once a week for successive week(s) before the 1st day of Sept. 1989 that is to say, the same was inserted in the issues of [Signature]

The Avenue Inc.  
per publisher



Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building, Suite 405  
Towson, Maryland 21204  
(301) 887-3554

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 523, 541, 560, 561, 562, 563, 564, 566, 567, 568, 570, 571 and 572.

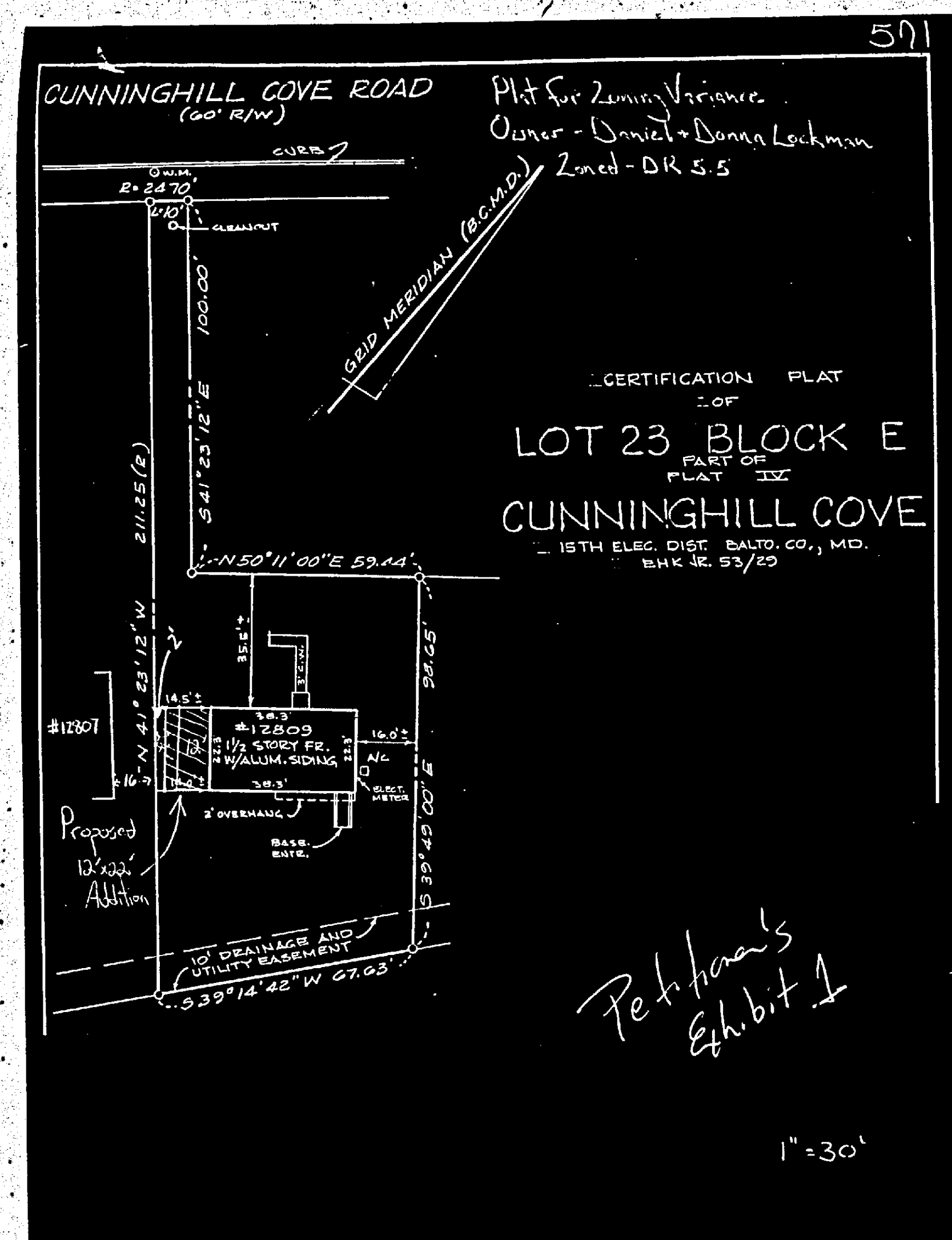
Very truly yours,  
*Michael S. Planigan*  
Michael S. Planigan  
Traffic Engineer Associate II

MSF/lab

RECEIVED  
JULY 26, 1989 AUG 8 1989  
ZONING OFF



Dennis F. Rasmussen  
County Executive



Baltimore County  
Fire Department  
800 York Road  
Towson, Maryland 21204-2888  
(301) 887-4500

Paul H. Reinschke  
Chief

JUNE 27, 1989

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Dennis F. Rasmussen  
County Executive

RE: Property Owner: DANIEL J. LOCKMAN  
Location: SE SIDE CUNNINGHILL COVE ROAD  
Item No.: 571 Zoning Agenda: JULY 5, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *CH. O. Kelly* 6-27-89 Noted and Approved  
Planning Group  
Special Inspection Division  
Fire Prevention Bureau

JK/kek

JUN 29 1989

